

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

\_\_\_\_\_  
In re POLYURETHANE FOAM ANTITRUST  
LITIGATION

)  
) MDL Docket No. 2196  
) Index No. 10-MD-2196 (JZ)  
)

\_\_\_\_\_  
This document relates to:

ALL CASES  
\_\_\_\_\_

**DEFENDANTS' NOTICE OF DEPOSITION**  
**TO MICHAEL SCHWARTZ**

**TO: ALL COUNSEL OF RECORD**

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, please take notice that Defendants, by and through their undersigned counsel, will take the oral deposition of Indirect Purchaser Plaintiff **Michael Schwartz** at **9:00 a.m. local time** on **January 27, 2014**, at the offices of **Stearns Weaver Miller Weissler Aldaheff & Sitterson, P.A., SunTrust Financial Centre, 401 East Jackson Street, Suite 2200, Tampa, Florida 33602**. The deposition shall continue from day to day until completed in accordance with the Federal Rules of Civil Procedure and the orders of this Court. All parties are invited to attend. The deposition will be conducted under oath and will be recorded by stenographic means and by videotape.

Dated: January 9, 2014

/s/ James H. Walsh

James H. Walsh  
Howard Feller  
Bethany Lukitsch  
MCGUIREWOODS LLP  
One James Center  
901 East Cary Street  
Richmond, VA 23219-4030  
Phone: (804) 775-4356  
Fax: (804) 698-2200  
[jwalsh@mcguirewoods.com](mailto:jwalsh@mcguirewoods.com)  
[hfeller@mcguirewoods.com](mailto:hfeller@mcguirewoods.com)  
[blukitsch@mcguirewoods.com](mailto:blukitsch@mcguirewoods.com)

*Counsel for Carpenter Co., E.R. Carpenter, L.P.,  
and Carpenter Holdings, Inc.*

/s/ Francis P. Newell

Francis P. Newell  
Peter M. Ryan  
COZEN O'CONNOR  
1900 Market Street  
Philadelphia, PA 19103  
Phone: (215) 665-2118  
Fax: (215) 665-2013  
[fnewell@cozen.com](mailto:fnewell@cozen.com)  
[pryan@cozen.com](mailto:pryan@cozen.com)

*Counsel for Foamex Innovations, Inc.*

Respectfully submitted,

/s/ Kendall Millard

Kendall Millard  
BARNES & THORNBURG, LLP  
11 South Meridian Street  
Indianapolis, IN 46204-3535  
Phone: (317) 231-7461  
Fax: (317) 231-7433  
[kmillard@btlaw.com](mailto:kmillard@btlaw.com)

/s/ Michael D. Mustard

Michael D. Mustard  
BARNES & THORNBURG LLP  
600 One Summit Square  
Fort Wayne, IN 46802-3119  
Phone: (260) 423-9440  
Fax: (260) 424-8316  
[mmustard@btlaw.com](mailto:mmustard@btlaw.com)

*Counsel for Flexible Foam Products, Inc.*

/s/ Edward G. Warin

Edward G. Warin  
John P. Passarelli  
KUTAK ROCK LLP  
1650 Farnam Street  
Omaha, NE 68102  
Phone: (402) 346-6000  
Fax: (402) 346-1148  
[edward.warin@kutakrock.com](mailto:edward.warin@kutakrock.com)  
[john.passarelli@kutakrock.com](mailto:john.passarelli@kutakrock.com)

*Counsel for Future Foam, Inc.*

/s/ Frank A. Hirsch, Jr.

Frank A. Hirsch, Jr.  
Matthew P. McGuire  
ALSTON & BIRD LLP  
4721 Emperor Blvd.  
Suite 400  
Durham, NC 27703  
Phone: (919) 862-2200  
Fax: (919) 852-2260  
[frank.hirsch@alston.com](mailto:frank.hirsch@alston.com)  
[matt.mcguire@alston.com](mailto:matt.mcguire@alston.com)

*Counsel for Hickory Springs Manufacturing Company*

/s/ Randall L. Allen

Randall L. Allen  
Teresa T. Bonder  
Allison S. Thompson  
ALSTON & BIRD LLP  
One Atlantic Center  
1201 W. Peachtree St.  
Atlanta, GA 30309  
Phone: (404) 881-7000  
Fax: (404) 881-7777  
[randall.allen@alston.com](mailto:randall.allen@alston.com)  
[teresa.bonder@alston.com](mailto:teresa.bonder@alston.com)  
[allison.thompson@alston.com](mailto:allison.thompson@alston.com)

*Counsel for Mohawk Industries, Inc.*

/s/ Daniel R. Warncke

Daniel R. Warncke  
TAFT STETTINIUS & HOLLISTER LLP  
425 Walnut Street, Suite 1800  
Cincinnati, OH 45202-3957  
Phone: (513) 381-2838  
Fax: (513) 381-0205  
[warncke@taftlaw.com](mailto:warncke@taftlaw.com)

Joe Rebein  
SHOOK, HARDY & BACON LLP  
2555 Grand Blvd.  
Kansas City, MO 64108  
Phone: (816) 559-2227  
[jrebein@shb.com](mailto:jrebein@shb.com)

*Counsel for Leggett & Platt, Incorporated*

/s/ Daniel G. Swanson

Daniel G. Swanson  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071  
Phone: (213) 229-6690  
Fax: (213) 229-6919  
[dswanson@gibsondunn.com](mailto:dswanson@gibsondunn.com)

Cynthia Richman  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036-5306  
Phone: (202) 530-8500  
Fax: (202) 530-9651  
[crichman@gibsondunn.com](mailto:crichman@gibsondunn.com)

*Counsel for Woodbridge Foam Corporation,  
Woodbridge Sales & Engineering, Inc., and  
Woodbridge Foam Fabricating, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 9, 2014, a copy of the foregoing Defendants' Notice of Deposition to Michael Schwartz was served electronically on lead counsel for Plaintiffs pursuant to Paragraph 10 of this Court's January 20, 2011 Initial Case Management Conference Order, ECF No. 17.

/s/ Daniel R. Warncke

Daniel R. Warncke

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Phone: (513) 381-2838

Fax: (513) 381-0205

[warncke@taftlaw.com](mailto:warncke@taftlaw.com)